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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,657	12/19/2000	Andrew T. Yule	PHB 34,435	7071
24737	7590	07/30/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			MILLER, BRANDON J	
			ART UNIT	PAPER NUMBER
			2683	14

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,657

Applicant(s)

YULE, ANDREW T.

Examiner

Brandon J Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, and 8-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Response to Amendment***

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jokimies in view of Mimura.

Regarding claim 1 Jokimies teaches a mobile unit for use with a radio transmission system having a plurality of base stations adapted for two-way radio communication and situated at respective geographical locations to define a corresponding plurality of service areas constituting one or more regions (see col. 4, lines 46-54 and FIG. 4). Jokimies teaches control means for controlling the mobile unit (see col. 2, lines 30-38). Jokimies teaches means for entering into the control means a single predetermined service area in which a user of the unit is notified upon entry (see abstract, col. 3, lines 45-62 & 66-67 and col. 4, lines 1-7). Jokimies teaches recognizing entry of the mobile unit into the single predetermined service area from an adjacent service area, and means for notifying the user of entry into the single predetermined service area (see abstract, col. 3, lines 45-62 & 66-67 and col. 4, lines 1-7). Jokimies does not specifically teach a plurality of overlapping service areas. Mimura teaches a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or

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more regions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include a plurality of overlapping service areas because this would allow for a mobile terminal to obtain detailed local user information that is closely associated with an area it is located.

Regarding claim 2 Jokimies teaches a transmitter and adapted to communicate by two-way radio with a base station (see col. 4, lines 46-54).

Regarding claim 4 Jokimies teaches a user that is notified by an audible, visible, or mechanical alarm (see col. 4, lines 1-5).

Regarding claim 5 Jokimies teaches user operated means to enter information identifying a user selected service area as the predetermined service area (see abstract, col. 3, lines 47-50 and col. 4, lines 6-7).

Regarding claim 6 Jokimies teaches enabling a user to define a current service area as a predetermined service area (see col. 3, lines 4-14 & 47-50 and col. 4, lines 6-7).

Regarding claim 8 Jokimies teaches a mobile unit for use with a radio transmission system having a plurality of base stations adapted for two-way radio communication and situated at respective geographical locations to define a corresponding plurality of service areas constituting one or more regions (see col. 4, lines 46-54 and FIG. 4). Jokimies teaches a service area that constitutes an area in which a corresponding base station has a capability for connecting a wireless channel to mobile unit based on one or more parameters (see col. 3, lines 4-14, col. 4, lines 46-54, and FIG. 4). Jokimies teaches control means for controlling the mobile unit (see col. 2, lines 30-38). Jokimies teaches means for entering into the control means a single predetermined service area in which a user of the unit is notified upon entry (see abstract, col. 3,

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lines 45-62 & 66-67 and col. 4, lines 1-7). Jokimies teaches recognizing entry of the mobile unit into the single predetermined service area from an adjacent service area, and means for notifying the user of entry into the single predetermined service area (see abstract, col. 3, lines 45-62 & 66-67 and col. 4, lines 1-7). Jokimies does not specifically teach a plurality of overlapping service areas. Mimura teaches a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or more regions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include a plurality of overlapping service areas because this would allow for a mobile terminal to obtain detailed local user information that is closely associated with an area it is located.

Regarding claim 9 Jokimies teaches a mobile unit for use with a radio transmission system having a plurality of base stations adapted for two-way radio communication and situated at respective geographical locations to define a corresponding plurality of service areas constituting one or more regions (see col. 4, lines 46-54 and FIG. 4). Jokimies teaches a mobile unit with a receiver (see col. 4, lines 37-45). Jokimies teaches control means for controlling the mobile unit (see col. 2, lines 30-38). Jokimies teaches enabling a user to instruct a control means to define the current service area as a single predetermined service area in which a user of the unit is notified upon entry (see abstract, see col. 3, lines 4-14 & 45-62 & 47-50 and col. 4, lines 1-7). Jokimies teaches recognizing subsequent re-entry of the mobile unit into the single predetermined service area from an adjacent service area, and means for notifying the user of entry into the single predetermined service area (see abstract, col. 3, lines 45-62 & 66-67 and col. 4, lines 1-7). Jokimies does not specifically teach a plurality of overlapping service areas.

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Mimura teaches a cellular transmission system having a plurality of base stations situated at respective geographical locations to define a corresponding plurality of overlapping service areas constituting one or more regions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the invention adapt to include a plurality of overlapping service areas because this would allow for a mobile terminal to obtain detailed local user information that is closely associated with an area it is located.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jokimies in view of Mimura and Kazuya

Regarding claim 3 Jokimies and Mimura teach a device as recited in claim 1 except for a predetermined service area that is identified by the identification code of the corresponding base station. Kazuya teaches a predetermined service area that is identified by an identification code of a corresponding base station (see col. 3, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a predetermined service area that is identified by the identification code of the corresponding base station because this would allow for efficient notification of arrival into a predetermined location.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-6 & 8-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Minagawa U.S Patent No. 6,510,318 discloses a method for location registration of mobile stations in a mobile communications system.

Dunko U.S Patent No. 6,553,236 discloses on demand location function for mobile terminal.

Valentine et al. U.S Patent No. 6,011,973 discloses a method and apparatus for restricting operation of cellular telephones to well delineated geographical area.

Higuchi U.S Patent No. 6,226,522 discloses a location detecting information receiving apparatus.

Fitch et al. U.S Patent No. 6,212,392 discloses a method for determining if the location of a wireless communication device is within a specified area.

Ushiki et al. U.S Patent No. 6,549,775 discloses a mobile communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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July 21, 2004



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